

REMARKS

Present Status of Application

Claims 1-23 are pending.

Election/Restrictions

In this Office Action, the Examiner sets forth a restriction/election requirement and asserts that the present application contains claims directed to the following patentably distinct species of the claimed invention:

Species I : Claims 1-15, method of forming a dual damascene interconnect in an integrated circuit using a photo resist layer and a protective layer, Figs. 2A-2G

Species II : Claims 16-23, method of forming a dual damascene interconnect in an integrated circuit using two photo resist layers and two protective layers, Figs. 3A-2I

Response to the restriction requirement mailed on March 28, 2006, Applicants hereby elect Species I, (Figs. 2A-2G, claims 1-15), without traverse. This election is made without prejudice to Applicants' right to file divisional applications directed to the non-elected inventions, should such divisional filings become appropriate. A prompt and favorable action on the merits of this application is now respectfully requested.

No fee is believed to be due in connection with this amendment and response. If, however, any fee is deemed to be payable, you are hereby authorized to charge any such fee to Deposit Account No. 20-0778.

Respectfully submitted ,

By: _____


Daniel R. McClure, Reg. No. 38,962

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.

100 Galleria Parkway

Suite 1750

Atlanta, Georgia 30339-5948

(770) 933-9500